

specification).

As stated above, Applicants' election of SEQ ID NO: 3 for examination is made with traverse. As a basis for traversal, Applicants submit that the Examiner failed to establish a need for restriction. The criteria for a proper restriction requirement, according to MPEP § 803, are (1) that the inventions must be independent or distinct as claimed, and (2) that there must be a serious burden on the Examiner to examine the entire application.

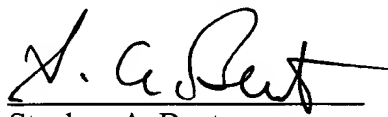
In this case, the Examiner has failed to demonstrate that a serious burden exists absent restriction. SEQ ID NOs: 1-4 are so closely related that it would be facile to examine them together. The nucleic acid sequence of SEQ ID NO: 1 encodes the amino acid sequence of SEQ ID NO: 2. Further, SEQ ID NO: 1 is a partial sequence of SEQ ID NO: 3, which encodes the amino acid sequence of SEQ ID NO: 4.

Accordingly, Applicants respectfully request that the Examiner examine SEQ ID NOs: 1-4 jointly in this application.

Although applicants believe that no additional fees are due, the Commissioner is hereby authorize to charge any additional fees deemed necessary, or credit any overpayment, to Deposit Account No. 19-0741.

Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,



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13 February 2003
Date

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Marked-Up Version of the Claims

3. (Amended) An isolated ~~[gene]~~ **nucleic acid molecule** encoding the amino acid sequence as shown in SEQ ID NO: 2.

4. (Amended) An isolated ~~[gene]~~ **nucleic acid molecule** encoding a protein selected from the group consisting of the following (a) and (b):

(a) a protein comprising the amino acid sequence as shown in SEQ ID NO: 4;
and

(~~a~~) (**b**) a protein which comprises the amino acid sequence as shown in SEQ ID NO: 4 having deletion, substitution or addition of one to ten amino acids within the region from position 1 to position 400 and which has RNA binding activity.

5. (Amended) An isolated ~~[gene]~~ **nucleic acid molecule** comprising a DNA selected from the group consisting of the following (a) and (b):

(a) a DNA consisting of the nucleotide sequence as shown in SEQ ID NO: 1;
and

(b) a DNA which hybridizes to the nucleotide sequence as shown in SEQ ID NO: 1 under stringent conditions and which encodes a protein having RNA binding activity.

6. (Amended) An isolated ~~[gene]~~ **nucleic acid molecule** comprising a DNA selected from the group consisting of the following (a) and (b):

(a) a DNA comprising a nucleotide sequence spanning from position 154 to position 1836 of SEQ ID NO: 3; and

(b) a DNA which hybridizes to a DNA comprising a nucleotide sequence spanning from position 154 to position 1836 of SEQ ID NO: 3 and which encodes a protein having RNA binding activity.